

# Energy Division Central Files Document Coversheet

**Directions:** Submit all documents and submittal questions to Energy Division Central Files via email [EnergyDivisionCentralFiles@cpuc.ca.gov](mailto:EnergyDivisionCentralFiles@cpuc.ca.gov)

1. Fill out coversheet completely. Coversheet can be embedded as page 1 of the electronic compliance filing, or can be submitted as a separate document that is attached to the email that delivers the compliance filing.
2. All documents are required to be submitted in an electronically *searchable* format.
3. Documents need to reference the reason for the mandate that ordered the filing in Section B or C. If you are unable to reference a proceeding or explain the origin of your filing, please contact Energy Division Central Files.
4. To find a proceeding number (if you only have a decision number), go to <http://docs.cpus.ca.gov/DecisionsSearchForm.aspx>; enter the decision number, and the results shown include the proceeding number.

## A. Document Name

Today's Date (Date of Submittal) 4/30/2018

### Name:

1. Utility Name: Apple Valley Choice Energy
2. Document Submission Frequency (Annual, Quarterly, Monthly, Weekly, Once, Ad Hoc): Annual
3. Report Name: Annual Data Privacy Report 2017 (Smart Grid Technologies)
4. Reporting Interval (the date(s) covered by the data, e.g. 2015 Q1): 2017
5. Name Suffix: Cov (for an Energy Division Cover Letter), Conf (for a confidential doc), Ltr (for a letter from utility)
6. Document File Name (format as 1+2 + 3 + 4 + 5): AVCE Annual Data Privacy Report 2017

### Sample Document Names:

*Utility Name + Submittal Frequency + Report Name + Year + Reporting Interval*

*SCE Annual Procurement Report 2014*

*SDG&E Ad Hoc DR Exception 2015Q1 Conf*

*SEMPRA Monthly Gas Report 201602*

*SEMPRA Daily Gas Report 20160230* <no suffix for regular, non-confidential compliance data>

*SEMPRA Daily Gas Report 20160230 Cov*

*SEMPRA Daily Gas Report 20160230 Ltr*

7. Identify whether this filing is ☒ original or ☐ revision to a previous filing.
  - a. If revision, identify date of the original filing: [Click here to enter text.](#)

## B. Documents Related to a Proceeding

All submittals should reference both a proceeding and a decision, if applicable. If not applicable, leave blank and fill out Section C.

1. Proceeding Number (starts with R, I, C, A, or P plus 7 numbers): (R.) 08-12-009
2. Decision Number (starts with D plus 7 numbers): (D.) 12-08-045
3. Ordering Paragraph (OP) Number from the decision: (OP) 8

## C. Documents Submitted as Requested by Other Requirements

If the document submitted is in compliance with something other than a proceeding, (e.g. Resolution, Ruling, Staff Letter, Public Utilities Code, or sender's own motion), please explain: [Click here to enter text.](#)

# Energy Division Central Files Document Coversheet

## D. Document Summary

Provide a Document Summary that explains why this report is being filed with the Energy Division. This information is often contained in the cover letter, introduction, or executive summary, so you may want to copy it from there and paste it here.

On August 31, 2012, the California Public Utilities Commission ("CPUC") issued Decision (D.) 12-08-045, Decision Extending Privacy Protections to Customers of Gas Corporations and Community Choice Aggregators, and to Residential and Small Commercial Customers of Electricity Service Providers, which requires the submission of annual reports regarding covered information for Community Choice Aggregators ("CCAs"). Specifically, Ordering Paragraph (OP) 8 states: "Community Choice Aggregators shall comply with the privacy rules contained in Attachment B of this decision."

## E. Sender Contact Information

1. Sender Name: Joseph Moon
2. Sender Organization: Apple Valley Choice Energy
3. Sender Phone: 760-240-7000
4. Sender Email: jmoon@applevalley.org

## F. Confidentiality

1. Is this document confidential? ☒ No ☐ Yes
  - a. If Yes, provide an explanation of why confidentiality is claimed, a declaration of confidentiality, and identify the expiration of the confidentiality designation (e.g. Confidential until December 31, 2020.) [Click here to enter text.](#)

## G. CPUC Routing

Energy Division's Director, Edward Randolph, requests that you not copy him on filings sent to Energy Division Central Files. Identify below any Commission staff that were copied on the submittal of this document.

1. Names of Commission staff that sender copied on the submittal of this Document: [Click here to enter text.](#)

ver.5-1-2017



April 30, 2018

Ms. Alice Stebbins  
Executive Director  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

RE: Apple Valley Choice Energy Annual Data Privacy Report 2017

Dear Ms. Stebbins:

Pursuant to Decision (D.) 12-08-045, Decision Extending Privacy Protections to Customers of Gas Corporations and Community Choice Aggregators, and to Residential and Small Commercial Customers of Electricity Service Providers, issued in the Smart Grid Rulemaking (R.) 08-12-009, Apple Valley Choice Energy (AVCE) hereby submits its 2017 Annual Data Privacy Report.

Ordering Paragraph (OP) 8 of D.12-08-045 states: "Community Choice Aggregators shall comply with the privacy rules contained in Attachment B of this decision." The annual reports as required by Rule 4(c)(6), Rule 8(c), Rule 9(e)(1), and Rule 9(e)(2) of Attachment B are contained in the attached Apple Valley Choice Energy Annual Data Privacy Report 2017.

The annual report indicates AVCE has met all of its covered information reporting requirements and is in compliance with the provisions of D.12-08-045.

If you have any questions regarding this annual report, please contact me at (760) 240-7000.

Sincerely,  
/s/ Joseph Moon

Joseph Moon  
Assistant Director of Energy and Environmental Services  
Town of Apple Valley

Attachment: Apple Valley Choice Energy Annual Data Privacy Report 2017

Cc: R.08-12-009 Service List  
EnergyDivisionCentralFiles@cpuc.ca.gov

**APPLE VALLEY CHOICE ENERGY**  
**ANNUAL DATA PRIVACY REPORT 2017**

**April 30, 2018**

**SMART GRID TECHNOLOGIES**  
**ORDER INSTITUTING RULEMAKING 08-12-009**  
**CALIFORNIA PUBLIC UTILITIES COMMISSION**

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
II.	ANNUAL REPORT REQUIREMENTS OF D.12-08-045 .....	2
III.	ANNUAL REPORT FINDINGS: 2017 .....	3
IV.	CONCLUSION .....	3

## I. INTRODUCTION

On August 31, 2012, the California Public Utilities Commission (“CPUC”) issued Decision (D.) 12-08-045, *Decision Extending Privacy Protections to Customers of Gas Corporations and Community Choice Aggregators, and to Residential and Small Commercial Customers of Electricity Service Providers*, which requires the submission of annual reports regarding covered information for Community Choice Aggregators (“CCAs”). Specifically, Ordering Paragraph (OP) 8 states: “Community Choice Aggregators shall comply with the privacy rules contained in Attachment B of this decision.”

### **Definitions:**

Rule 1(a) of Attachment B defines a “Covered Entity” as “(1) any Community Choice Aggregator or Electrical Service Provider (when providing service to residential or small commercial customers), or any third party that provides services to a Community Choice Aggregator or Electrical Service Provider (when providing service to residential or small commercial customers) under contract, (2) any third party who accesses, collects, stores, uses or discloses covered information pursuant to an order of the Commission, unless specifically exempted, who obtains this information from an electrical corporation, a Community Choice Aggregator or an Electrical Service Provider (when providing service to residential or small commercial customers), or (3) any third party, when authorized by the customer, that accesses, collects, stores, uses, or discloses covered information relating to 11 or more customers who obtains this information from an electrical corporation, a Community Choice Aggregator or an Electrical Service Provider (when providing service to residential or small commercial customers)

Rule 1(b) of Attachment B defines “Covered Information” as “any usage information obtained through the use of the capabilities of Advanced Metering Infrastructure when associated with any information that can reasonably be used to identify an individual, family, household, residence, or non-residential customer, except that covered information does not include usage information from which identifying information has been removed such that an individual, family, household or residence, or non-residential customer cannot reasonably be identified or re-identified. Covered information, however, does not include information provided to the Commission pursuant to its oversight responsibilities.”

The scope of this report includes covered information only that is handled by Apple Valley Choice Energy (“AVCE”) and its third party contractors, who access, collect, store, and use covered information for “primary purposes” or “secondary purposes”.

The primary purposes for the collection, storage, use, or disclosure of covered information, as outlined in Rule 1(c) of Attachment B are to:

1. Provide or bill for electrical power or gas,
2. Provide for system, grid, or operational needs,

3. Provide services as required by state or federal law or as specifically authorized by an order of the Commission, or
4. Plan, implement, or evaluate demand response, energy management, or energy efficiency programs under contract with a Community Choice Aggregator or an Electrical Service Provider (when providing service to residential or small commercial customers), under contract with the Commission, or as part of a Commission authorized program conducted by a governmental entity under the supervision of the Commission.

Rule 1(e) “Secondary purpose” means any purpose that is not a primary purpose.

## **II. ANNUAL REPORT REQUIREMENTS OF D.12-08-045**

Attachment B of D.12-08-045, *Rules Regarding Privacy and Security Protections for Energy Usage Data Applicable to Community Choice Aggregators or Electrical Service Providers (when providing service to residential or small commercial customers)*, set forth the rules applicable to AVCE’s annual data privacy report:

Rule 4(c)(6) On an annual basis, covered entities shall report to the Commission the number of demands received for disclosure of customer data pursuant to legal process or pursuant to situations of imminent threat to life or property and the number of customers whose records were disclosed. Upon request of the Commission, covered entities shall report additional information to the Commission on such disclosures. The Commission may make such reports publically available without identifying the affected customers, unless making such reports public is prohibited by the state or federal law or by order of the Commission.

Rule 8(c) Annual Report of Breaches. In addition, Community Choice Aggregators or Electric Service Providers (when providing service to residential or small commercial customers) shall file an annual report with the Commission’s Executive Director, commencing with the calendar year 2012, that is due within 120 days of the end of the calendar year and notifies the Commission of all security breaches within the calendar year affecting covered information, whether by the covered Community Choice Aggregator or Electrical Service Provider (when providing service to residential or small commercial customers) or by a third party.

Rule 9(e) Reporting Requirements. On an annual basis, each Community Choice Aggregator or Electrical Service Provider (when providing service to residential or small commercial customers) shall disclose to the Commission as part of an annual report required by Rule 8.b, the following information:

- (1) The number of authorized third parties accessing covered information
- (2) The number of non-compliances with this rule or with contractual provisions required by this rule experienced by the utility and the number of customers affected by each non-compliance and a detailed description of each non-compliance.

**Pursuant to these Rules, Apple Valley Choice Energy hereby submits its annual data privacy report.**

### **III. ANNUAL REPORT FINDINGS: 2017**

<b>Rule</b>	<b>Description</b>	<b>Findings</b>
Rule 4(c)(6)	Number of demands received for disclosure of customer data pursuant to legal process or number of customer records disclosed pursuant to situations of imminent threat	0 Demands 0 Accounts
Rule 8(c)	Security breaches affecting covered information	0 Security Breaches
Rule 9(e)(1)	Number of authorized third parties accessing covered information.	1 Authorized Third Parties
Rule 9(e)(2)	Number of non-compliances with this rule or with contractual provisions required by this rule.	0 Non-compliances
Rule 9(e)(2)	Number of customers affected by each non-compliance.	N/A
Rule 9(e)(2)	Detailed description of each non-compliance.	N/A

### **IV. CONCLUSION**

The annual reports as required by Rule 4(c)(6), Rule 8(c), Rule 9(e)(1), and Rule 9(e)(2) of Attachment B, *Rules Regarding Privacy and Security Protections for Energy Usage Data Applicable to Community Choice Aggregators or Electrical Service Providers (when providing service to residential or small commercial customers)*, of D.12-08-045 concludes AVCE as a covered entity is in compliance with the Rules set forth for the 2017 reporting year with no outstanding issues.